TENANCY LAW IN HARBOUR AREA

89. Mr. C. R. Iyyunni *(Trichur-South):* Will Government be pleased to state whether there is any law applicable to Harbour area corresponding to Tenancy Act applicable to other parts of Cochin?

Mr. P. V. Raphael *(Joint Secretary to Government):* No.

Mr. C. R. Iyyunni *(Trichur-South):* Does the Government think that no tenancy law is necessary so far as the Port area is concerned?

Mr. M. Sivarama Menon *(Advocate-General):* Yes.

Mr. E. Ikkanda Warriar *(Cheruthuruthi):* Is it not a fact that the Government have excluded the Port area from the operation of the Tenancy Act?

Mr. M. Sivarama Menon *(Advocate-General):* It is inapplicable to the Willingdon Island.

Mr. C. R. Iyyunni *(Trichur-South):* Should there not be a Tenancy Act for the Harbour area?

Mr. M. Sivarama Menon *(Advocate-General):* There is no necessity.

Mr. C. R. Iyyunni *(Trichur-South):* May I know whether the Government intend to have any law in future?

Mr. M. Sivarama Menon *(Advocate-General):* The present conditions do not warrant the application of the tenancy law to that small area. Any expectation of a change of outlook is also not warranted by existing conditions.

Mr. C. R. Iyyunni *(Trichur-South):* There are many plots of land that have been given on lease to various persons.

Mr. M. Sivarama Menon *(Advocate-General):* They will have to remove the buildings and any other improvements when called upon in accordance with the terms of the contract.

Mr. C. R. Iyyunni *(Trichur-South):* Is it the opinion of the Government that if a particular plot is leased to a particular gentleman and he erects buildings or effects improvements which are very costly, he has to remove them completely at the instance of the Port Authorities?

Mr. M. Sivarama Menon *(Advocate-General):* The very lease deed would embody such conditions and those gentlemen might have taken the land on those conditions.

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Mr. A. B. Salem *(Mattancheri):* Is there no Tenancy law equally applicable to the area under the jurisdiction of the Port Authorities?

Mr. M. Sivarama Menon *(Advocate-General):* We have exempted the Port Area.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* Is not the amending Act passed by this House.

Mr. M. Sivarama Menon *(Advocate-General):* No.

Mr. Ismail Haji Essa Sait *(Mattancheri):* Are there any private houses in the Harbour area?

Mr. M. Sivarama Menon *(Advocate-General):* No. Only the residential quarters of the officers and some of their servants.

Mr. Kochukunhan Kaimal *(Vadakkancheri):* In the absence of landlord and tenant, is there any necessity to contemplate a tenancy law?

Mr. M. Sivarama Menon *(Advocate-General):* The present conditions do not warrant the application of the Tenancy Act to such a small commercial area.

Mr. M. K. Devassy *(Adur):* In that case forests and deserts will have to be exempted.

Mr. M. Sivarama Menon *(Advocate-General):* Leases are granted for very long terms, say 99 years and they take these leases knowing fully well that they will not be entitled to get compensation. They know that they will get adequate returns for their money in the course of the business during all these years. For instance, the Cochin Bank has now put up a building there knowing fully well that they will not be entitled to get the value of the building.

Mr. V. K. Bhaskara Menon *(Cranganur):* May I know whether these are the same conditions under which the Government have taken two acres.

Mr. M. Sivarama Menon *(Advocate-General):* No. With regard to the Government of Cochin, there is provision by an agreement that they will compensate in case we are to demolish these buildings.

Mr. President: We have been very careful with regard to that.

Mr. A. V. Moothedan *(Chalakkudi):* Act, XV of 1113 was passed by this House. The exemption was granted by a special amendment without the consent of the Council.

Mr. President: That question does not arise. It involves the prerogative of His Highness.

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